

To: **Mayor and City Council**
From: **Ryan Schroeder, City Manager**
Date: **June 10, 2019**

Police Chief Process

BACKGROUND INFORMATION:

On May 24, 2019, Police Chief Bud Shaver retired from the City of West St. Paul. On that same day, Lieutenant Brian Sturgeon was appointed by the City Manager as the Interim Police Chief. This agenda item is to inform the City Council of the process toward a regular appointment and to receive feedback. Of note is that this is the sixth leadership level appointment process over the past four years (including: 2016 Public Works Director, 2017 City Manager and Finance Director, 2018 City Clerk, 2019 HR Director). Options reviewed to fill this vacancy include the following:

1. External/Internal Posting:

This process is often used when qualified internal candidates are not available or in cases when the City perceives advantages in comparing internal candidates to a larger candidate field.

2. Internal Posting:

This process recognizes that one or more qualified/acceptable candidates exist internally; it also likely provides an advantage of opening promotional opportunities internally in order to fill the vacancy created by the candidate filling the Chief position. An advantage of this process includes the opportunity for interested internal candidates to “test the waters” of the process itself (much like the recent South Metro Fire Chief selection process). Another advantage is idea exchange. A disadvantage is uncertainty for the department while an interim is in place.

3. Appoint the “Interim Chief” to the regular position. This option provides the same advantage of promotional opportunities without the advantages/disadvantages of a more deliberative process.

Recently, we have received suggestions from the public regarding this particular appointment and process. Some of these suggestions suggest use of similar process as that of neighboring Statutory Cities, which might inform what should be used in West St. Paul. However, the selection and appointment in West St. Paul as a Home Rule Charter City is determined by the Charter, which differs from that of a Statutory City. Relevant provisions of the Charter include:

Sec. 2.09. Interferences with Administration. Neither the Council nor any of its members shall dictate the appointment of any person to office or employment by the City Manager, or in any manner interfere with the City Manager or prevent him or her from exercising judgment in the appointment of officers and employees in the administrative service. Except for the purpose

of inquiry, the Council and its members shall deal with and control the administrative service solely through the City Manager, and neither the Council nor any member thereof shall give orders to any of the subordinates of the City Manager, either publicly or privately.

Sec. 6.02. Powers and Duties of the City Manager.

Subd. 1. Subject to the provisions of this Charter and any Council regulations consistent therewith, the City Manager shall manage, control and direct the administration of the City's affairs. The Manager shall have the powers and duties set forth in the following subdivision.

Subd. 2. The Manager shall see that this Charter and laws, ordinances and resolutions of the City are enforced.

Subd. 3. Except for the City Attorney who shall be selected, appointed, and removed by the Council, the City Manager shall appoint, promote and remove, upon the basis of merit and fitness the City Clerk, all heads of departments and all subordinate officers and employees in the departments. No subordinate officer or employee of the City shall be discharged from his or her employment unless and until such employee has had a hearing by the Council if such employee requests the hearing within 15 days of the effective date of such discharge or such greater period as may be specified in any contract with the City covering such employee.

Subd. 4. The Manager shall exercise full control over all departments and divisions of the City administration created by this Charter or by the Council pursuant to this Charter. Except as provided by the Statutes of the State of Minnesota or by other specific provisions of this Charter, the Manager shall exercise full control over all departments and divisions of the City Administration created by this Charter or by the Council pursuant to this Charter.

Upon the above, it is clear the Charter dictates that the City Manager is the party responsible for the Police Chief and all other Department Director and other positions within the organization. It is recognized that there have been recent concerns expressed by persons within the community that the Police Department, and/or the leadership within, has not been providing the level of service expected by all members of the community. Each of these concerns, of which I am aware, have received review. Through these reviews and through interaction with West St. Paul PD leadership, officers, and support staff, I am confident in the quality of this department and the people working within it.

Regardless, the Police Chief vacancy provides an opportunity to receive additional input from both internal and external stakeholders regarding opportunities and obstacles going forward. Intended is that we would provide the opportunity to the community to recommend desired traits of persons holding the Police Chief position, areas where there might be opportunities for improvement, and areas where the City/Department should consider allocation of resources to address specific needs or deficits. Intended is that we would provide both an on line survey tool, surveys of staff and Council, and a focus group with both the business community and the community at large. Responses should not only inform me as it relates to selection of the preferred candidate but it will also provide that individual with an issues and opportunities platform going forward.

Intended, upon completion of the above, is an internal process absent significant evidence suggesting the need for a different process.

STAFF RECOMMENDATION:

For City Council Discussion/Initial Input on Traits and Opportunities.